

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

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|---|---|------------------------------------|
| Katherine Bradacs and Tracie Goodwin, |) | Civil Action No. 3:13-cv-02351-JMC |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | <u>ORDER</u> |
| Nimrata (“Nikki”) Randhawa Haley, in her |) | |
| official capacity as Governor of South |) | |
| Carolina; Alan M. Wilson, in his official |) | |
| Capacity as Attorney General, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

This matter is before the court to address the posture of the case since the United States Supreme Court denied certiorari on October 6, 2014, in the companion matters of Rainey v. Bostic, No. 14-153, 2014 WL 3924685, at *1 (U.S. Oct. 6, 2014), Schaefer v. Bostic, No. 14-225, 2014 WL 4230092, at *1 (U.S. Oct. 6, 2014), and McQuigg v. Bostic, No. 14-251, 2014 WL 4354536, at *1 (U.S. Oct. 6, 2014). By denying certiorari in these cases, the Supreme Court, in effect, did not overturn the ruling of the United States Court of Appeals for the Fourth Circuit in Bostic v. Schaefer, 760 F.3d 352 (4th Cir. 2014). In Bostic, the Fourth Circuit held that marriage laws prohibiting legal recognition of same-sex relationships in Virginia “violate the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the extent that they prevent same-sex couples from marrying and prohibit Virginia from recognizing same-sex couples’ lawful out-of-state marriages.” Id. at 384.

Now that the Bostic case has run its course, the court must address the posture of this matter. Previously, on April 22, 2014, the court granted the parties’ request to stay the matter

until the Fourth Circuit “issues its final opinion” in Bostic. (ECF No. 54.) Although the Fourth Circuit issued its final opinion in Bostic on July 28, 2014, the parties have not requested that the court lift the stay. Based on the Supreme Court’s decision of October 6, 2014 to leave Bostic undisturbed, the court *sua sponte* lifts the stay and returns this matter to the active docket. The parties are hereby directed to jointly submit a proposed amended scheduling order and/or briefing schedule to the court by Wednesday, October 15, 2014.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 7, 2014
Columbia, South Carolina